

November 21, 2017

**BY ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: **NOTICE OF EX PARTE**  
**PS Docket No. 15-91: *Improving Wireless Emergency Alerts and Community-Initiated Alerting***

Dear Ms. Dortch:

On November 17, 2017, I spoke with James Wiley of the Federal Communications Commission's ("FCC" or "Commission") Public Safety and Homeland Security Bureau to discuss the above-referenced proceeding.<sup>1</sup> Specifically, Competitive Carriers Association ("CCA")<sup>2</sup> applauded the FCC's recent Order on Reconsideration, which extends until May 1, 2019 for smaller, regional wireless providers the deadline to comply with the enhanced embedded references requirement adopted in the Report & Order ("*2016 Report & Order*")<sup>3</sup>, and reaffirms the Commission's "best approximates" standard for geo-targeting wireless emergency alert ("WEA") messages.<sup>4</sup> CCA appreciates the FCC's recognition of the unique challenges faced by competitive carriers, and applauds the Commission for granting a waiver for smaller, rural and regional carriers who desire to continue providing consumers with the latest information especially in times of disasters and emergencies.

CCA reiterated its support for the Commission's "best approximates" geo-targeting standard. As the Commission notes, it is important that the standard is "designed to be flexible and to take into

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<sup>1</sup>See, Petition for Waiver, or in the alternative, Request for Extension of Time of Competitive Carriers Association, PS Docket No. 15-91 (filed August 16, 2017) ("CCA WEA Petition"). See also Letter from Rebecca Murphy Thompson, EVP & General Counsel, CCA, to Marlene H. Dortch, Secretary, FCC, PS Docket No. 15-91 (filed July 18, 2016) ("CCA WEA EP"); and Letter from Courtney Neville, Policy Counsel, CCA, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 14-177, *et al.* (filed Oct. 20, 2017).

<sup>2</sup> CCA is the nation's leading association for competitive wireless providers and stakeholders across the United States. CCA's membership includes nearly 100 competitive wireless providers ranging from small, rural carriers serving fewer than 5,000 customers to regional and national providers serving millions of customers. CCA also represents associate members including vendors and suppliers that provide products and services throughout the mobile communications supply chain.

<sup>3</sup> *Improving Wireless Emergency Alerts and Community-Initiated Alerting*, Report and Order and Further Notice of Proposed Rulemaking, PS Docket No. 15-91, *et al.*, FCC 16-127 (rel. Sept. 29, 2016) ("*2016 Report & Order*" or "FNPRM").

<sup>4</sup> *Wireless Emergency Alerts*, Order on Reconsideration, PS Docket No. 15-91 *et al.* (rel. Nov. 1, 2107) ("*Order on Reconsideration*").

consideration the specific capabilities of each [p]articipating... [p]rovider.”<sup>5</sup> CCA agrees that refining the delivery location of WEA will improve the quality of information that consumers receive during disasters and emergencies,<sup>6</sup> and for this reason, CCA members continue to work toward the Commission’s enhanced geo-targeting standards adopted in the *2016 Report & Order*. As such, CCA agrees that the “best approximates” standard provides sufficient flexibility for participating providers to “continue to employ the techniques that they have been deploying as a matter of best practice,”<sup>7</sup> while seeking to meet the enhanced requirements adopted in the *2016 Report & Order*. CCA also agrees that the FCC’s legacy “single cell site transmission” standard, which allows providers to transmit a WEA message to an area no larger than the propagation area of a single transmission site, could now be superfluous in light of the flexibility afforded by the “best approximates” standard adopted last year.<sup>8</sup>

CCA looks forward to continued work with the Commission to further important consumer safety issues including enhanced WEA capabilities.<sup>9</sup> This *ex parte* notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission’s rules. Please do not hesitate to contact me with questions or concerns.

Respectfully submitted,

/s/ Courtney Neville

Courtney Neville  
Policy Counsel  
Competitive Carriers Association

cc (via email): James Wiley

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<sup>5</sup> Order on Reconsideration ¶ 7.

<sup>6</sup> 2016 Report & Order ¶¶ 50-57.

<sup>7</sup> *Id.* ¶ 54.

<sup>8</sup> Order on Reconsideration ¶ 8, fn 22.

<sup>9</sup> Of note, CCA’s WEA Petition did not address the device-based geo-targeting proposal that is included in the *Further Notice of Proposed Rulemaking*. See FNPRM ¶¶ 138-146. The Commission has signaled its intent to adopt granular geo-targeting requirements, which is the subject of the pending FNPRM, in a future proceeding. See Order on Reconsideration ¶ 8, fn 24; and, Statement of Chairman Ajit Pai, *Wireless Emergency Alerts*, Order on Reconsideration, PS Docket No. 15-91 (rel. Nov. 1, 2017); Statement of Commissioner Jessica Rosenworcel, *Wireless Emergency Alerts*, Order on Reconsideration, PS Docket No. 15-91 (rel. Nov. 1, 2017).